



# City of Malden

Malden City Hall  
110 Pleasant Street  
Malden, MA 02148

## Meeting Minutes - Final City Council

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Tuesday, December 19, 2017

7:00 PM

John & Christina Markey Community Center,  
7 Washington St.

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### 1. CALL TO ORDER

### 2. PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE IN HONOR OF SERVICEMEN & WOMEN

### 3. ROLL CALL

**Present - Councillors:** 9 - Neal Anderson, Paul Condon, David D'Arcangelo, Deborah DeMaria, John P. Matheson, Barbara Murphy, Ryan O'Malley, Peg Crowe and David Camell

**Absent - Councillors:** 2 - Jadeane Sica and Craig Spadafora

### 4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

### 5. APPROVAL OF MINUTES

[537-17](#) Minutes of the meeting of December 12, 2017.

A motion was made by Councillor DeMaria that the Council Minutes be approved. The motion carried by a unanimous vote.

### 6. APPOINTMENTS & ELECTIONS

### 7. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[538-17](#) Class II: Metro Auto Collision & Sales, Inc., 55 Madison St., 6 cars (Renewal)

A motion was made by Councillor Anderson that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[539-17](#) Class II: Malden Middlesex Motor Sales, Inc., 129 Charles St., 25 Cars (Renewal)

A motion was made by Councillor Anderson that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[540-17](#) Class II: Prestige Motors of Malden, Inc., 600 Broadway, 67 cars (Renewal)

A motion was made by Councillor Anderson that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[541-17](#) Class II: Uni Auto Center, Inc., 369 Salem St., 20 cars (Renewal)

A motion was made by Councillor Anderson that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[542-17](#)

Class II: Wentworth Auto Sales, 730 Eastern Ave., 15 cars (Renewal)

A motion was made by Councillor Anderson that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[543-17](#)

Class II: Malden Auto Sales, 147 Ferry St., 25 cars (Renewal)

A motion was made by Councillor Anderson that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[544-17](#)

Class II: Super Auto Sales, 1176 Eastern Ave., 15 cars (Renewal)

A motion was made by Councillor Anderson that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[545-17](#)

Class III: Malden Middlesex Motor Sales, Inc., 129 Charles St. (Renewal)

A motion was made by Councillor Anderson that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[546-17](#)

Amusement Machine: Malden ITAMS, 40 Oakland St., 4 machines (Renewal)

A motion was made by Councillor Anderson that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[547-17](#)

Amusement Machine: Dockside Restaurant, 229 Centre St., 5 machines (Renewal)

A motion was made by Councillor Anderson that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[548-17](#)

Amusement Machine: GLS Associates, Inc., 50 Holden St., 9 machines (Renewal)

A motion was made by Councillor Anderson that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[549-17](#)

Extended Hours: Honey Dew Donuts, 691 Eastern Ave., Hours: 7days-5am to 9pm (Renewal)

A motion was made by Councillor Anderson that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

## **8. MOTIONS, ORDERS AND RESOLUTIONS**

[550-17](#)

Be it hereby Ordained that Chapter 6 of the Revised Ordinances of 1991 be amended relative to Installation of Small Cell Facilities on Utility Poles.

**Sponsors:** John P. Matheson

A motion was made by Councillor Matheson that the Ordinance be referred to the

**Rules & Ordinance Committee. The motion carried by a unanimous vote.**

[551-17](#) Order: That the Traffic Mitigation Committee study adaptive signal technology.

**Sponsors:** John P. Matheson

**A motion was made by Councillor Matheson that the Order be referred to the Traffic Mitigation Committee. The motion carried by a unanimous vote.**

[552-17](#) Order: That the Malden Hospital Site Development Committee meet with the Medford committee on Malden Hospital Site Development and receive community input.

**Sponsors:** John P. Matheson

**A motion was made by Councillor Matheson that the Order be referred to the Malden Hospital Site Development Committee. The motion carried by a unanimous vote.**

[553-17](#) Order: That the City Council adopt the 2018 Schedule of Meetings. Note: The September State Primary date may change.

**A motion was made by Councillor DeMaria that the Order be adopted. The motion carried by a unanimous vote.**

[554-17](#) Resolve: That the City Council support the undertaking of working with the MAPC to develop a Housing Production Plan.

**Sponsors:** Deborah DeMaria

**A motion was made by Councillor Matheson that the Resolution be amended by adding after Plan, "and 1.5% land area safe harbor. The motion carried by a unanimous vote.**

**A motion was made by Councillor DeMaria that the Resolution be passed as amended. The motion carried by a unanimous vote.**

## **9. COMMUNICATIONS**

## **10. RECONSIDERATION**

[458-17](#) Mayor's Appointment: Brian Creamer, 49 Newman Rd., Malden, MA, as a member of the Conservation Commission, said term to expire November 1, 2019.

**A motion was made by Councillor Murphy, seconded by Councillor Matheson, that the Appointment and Reconsideration be tabled until the next meeting, when the Legal Dept. can appear before the Council and provide a step by step process. The motion carried by the following vote:**

**Yea:** 5 - Anderson, D'Arcangelo, Matheson, Murphy and Crowe

**Nay:** 4 - Condon, DeMaria, O'Malley and Camell

## **11. COMMITTEE REPORTS**

[555-17](#) Committee Report: Rules & Ordinance (Paper #390-17 Height Restrictions for Existing Non-Conforming Uses.)

**A motion was made by Councillor Matheson that the Committee Report be received and filed. The motion carried by a unanimous vote.**

[390-17](#) Be it Ordained that Section 700.1.3.1 of R.O. 1991 be amended relative to height restrictions for existing non-conforming uses.

**Sponsors:** Craig Spadafora

**A motion was made by Councillor Matheson that the Ordinance be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.**

[556-17](#) Committee Report: Rules & Ordinance (Paper# 433-17 That the City of Malden establish a Delayed Demolition ordinance).

**A motion was made by Councillor Matheson that the Committee Report be received and filed. The motion carried by a unanimous vote.**

[433-17](#) Order: That the City of Malden establish the Delayed Demolition Purpose for the purpose of preserving and protecting significant buildings that constitute or reflect distinctive features of architectural, cultural, political, or social history of the City and to limit the detrimental effect of demolition of the character of the City.

**Sponsors:** Craig Spadafora, Neal Anderson, Jadeane Sica, Paul Condon, Peg Crowe, David D'Arcangelo, Deborah DeMaria, John P. Matheson, Barbara Murphy and Ryan O'Malley

**A motion was made by Councillor Matheson that the Ordinance be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.**

## **12. TABLED PAPERS**

[536-16](#) Resolve: That the City Council support the Mayor's Complete Streets Policy.

**Sponsors:** Peg Crowe

[99-17](#) Kelli Collomb to be appointed to Human Rights, Fair Housing and Disability Commission be appointed to Disability Member term to expire February 1, 2018.

[167-17](#) Order: That according to the Massachusetts General Laws, Chapter 268A, Section 20 job coach for Malden's Summer Youth Employment Program be exempt from provisions.

**Sponsors:** Deborah DeMaria

[244-17](#) Order: That the City Municipal Hearing Officer from this point forward waive all fines, fees and tickets that are appealed that do not comply with State or Federal Law.

**Sponsors:** Neil C. Kinnon

[379-17](#) Petition of National Grid and Verizon New England Inc. to install a jointly owned pole on Cross St approximately 200 feet from the intersection of Main St.

(HEARING REQUIRED)

[380-17](#) Petition of Verizon Wireless to install Small Cell antenna on an existing utility pole on Glenwood St.

(HEARING REQUIRED)

[411-17](#) National Grid and Verizon New England, Inc request permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way: Bryant St. for service to new customer's Pad Mount transformer

(HEARING REQUIRED).

### **13. PERSONAL PRIVILEGE**

[557-17](#) Ordered: That the City Council meet in Executive Session for the purpose of discussing strategy with respect to pending litigation, public discussion of which may have a detrimental effect on the litigating position of the City.

**A motion was made by Councillor Condon that the Council recess to go into Executive Session. The motion carried by the following vote:  
The City Council went into recess at 8:54pm.**

**Yea:** 8 - Anderson, Condon, DeMaria, Matheson, Murphy, O'Malley, Crowe and Camell

**Nay:** 1 - D'Arcangelo

### **14. ADJOURNMENT**

**The City Council reconvened at 10:57pm.**

**A motion was made by Councillor Ryan O'Malley that the meeting be adjourned.  
The motion carried unanimously.**

**THOMAS E. BRENNAN, CITY CLERK**